

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BANK OF AMERICA, N.A.,

Plaintiff,

v.

Civil Action No. 1:10-cv-00051-LO-TCB

ARROW ELECTRONICS, INC.,

Defendant.

**PLAINTIFF BANK OF AMERICA, N.A.
RULE 26(A)(3) DISCLOSURES**

Plaintiff Bank of America, N.A., (“Bank of America” or “the Bank”), by counsel, hereby submits the following pretrial disclosures pursuant to Fed. R. Civ. Proc. 26(a)(3) and this Court’s scheduling Order of March 2, 2010:

I. Rule 26(a)(3)(A)(i)

1. Robert Cashion (Mr. Cashion may be contacted through the Bank’s counsel)
2. Michael Byrd
2201 Darnell Ct.
Bowie, MD 20721

The Bank expects to call each of these witnesses and reserves the right to call both any witnesses in Arrow Electronics, Inc.’s, Rule 26(a)(3)(A)(i) disclosures and any additional witnesses needed for impeachment or rebuttal.

II. Rule 26(a)(3)(A)(ii)

1. Kimberly deCastro
1500 S. St. Francis Dr.
Santa Fe, NM 87505
505-466-9111

The Bank expects to introduce this witness's testimony by deposition and reserves the right to introduce deposition testimony of any other witnesses listed in Arrow Electronics, Inc.'s, Rule 26(a)(3)(A)(ii) disclosures and any additional witnesses needed for impeachment or rebuttal.

III. Rule 26(a)(3)(A)(iii)

See Exhibit A, attached hereto. In addition, Bank of America reserves the right to use any document identified in Arrow Electronics, Inc.'s, Rule 26(a)(3)(A)(iii) disclosures, any document needed for impeachment or rebuttal, and any additional exhibits as may be permitted by the Court.

Respectfully submitted,

/s/ Michael A. Hass

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E. John Steren (admitted *pro hac vice*)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the forgoing Plaintiff Bank of America, N.A.'s, Rule 26(a)(3) disclosures was served via the Court's ECF system and by email this 16th day of June, 2010, on the following:

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/s/ Michael A. Hass

Michael A. Hass

Exhibit A
Bank of America, N.A., Trial Exhibit List

1. June 30, 2008, Credit and Security Agreement between Bank of America and MB Security/AC Technology, Inc.
2. June 30, 2008, Revolving Loan Note of MB Security/AC Technology, Inc.
3. July 1, 2008, UCC-1 Financing Statement filed with the Virginia State Corporation Commission by Bank of America, N.A. claiming a security interest in AC Technology Inc.'s assets.
4. December 17, 2008, Notice of Default and Reservation of Rights sent by Bank of America, N.A., to AC Technology, Inc.
5. February 19, 2009, Loan Modification Agreement between Bank of America and AC Technology, Inc.
6. March 30, 2009, Notice of Enforcement of Rights and Remedies sent by Bank of America, N.A., to AC Technology, Inc.
7. Purchase order #523177 from Wildflower International to AC Technology, Inc., for certain information technology goods
8. Invoice for purchase order #523177 from AC Technology, Inc., to Wildflower International for certain information technology goods
9. July 9, 2004, Escrow agreement between Wildflower International, and AC Technology, Inc.
10. Bank account statement of Wildflower International reflecting a deposit in the amount of \$939,480.61 on April 24, 2009, from Honeywell FMT
11. A copy of a check made on April 23, 2009, from Honeywell FMT to Wildflower International to in the amount of \$939,480.61
12. March 26, 2009, invoice from Wildflower International to Honeywell FMT in the amount of \$939,480.61 for certain information technology goods
13. March 17, 2009, purchase order from Honeywell FMT to Wildflower International for certain information technology goods
14. January 27, 2009, email between Jim Montoya of Wildflower International and Craig McHenry of AC Technology, Inc. regarding questions pertaining to AC Technology, Inc.'s, GSA schedule

15. January 30, 2009, email chain between Wildflower International employees and AC Technology, Inc., employees regarding GSA contract questions
16. December 23, 2008, purchase order from AC Technology, Inc., to Arrow Electronics, Inc./MOCA for certain information technology goods
17. August 25, 2004, GSA Teaming Agreement between Wildflower International and AC Technology, Inc.
18. December 17, 2008, GSA quote from AC Technology, Inc., to Wildflower International for certain information technology goods
19. December 22, 2008, email chain between Craig McHenry of AC Technology, Inc., and Wildflower International employees regarding purchase order #523177 from Wildflower International to AC Technology, Inc., for certain information technology goods
20. Transcript of May 6, 2010, deposition of Kimberly deCastro, President of Wildflower International